

### **REMARKS**

Reconsideration of the present application is respectfully requested. Claim 17 has been amended to cure an informality. Claims 1 - 28 are currently pending.

#### **Rejections based on 35 U.S.C. § 102**

Claims 1 – 28 stand rejected under 35 U.S.C. §102(e) as being anticipated by Horn, *et al.*, U.S. Publn. No. 2004/0177319 (“Horn”). Applicants respectfully traverse the pending rejections.

#### **Claims 9 – 17 and 25 - 28**

Claims 9 – 17 and 25 - 28 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Horn. Applicants respectfully traverse this rejection because Horn does not teach “deleting at least one of said plurality of items from said universal data store in response to said change [in a relationship],” as required by independent claims 9 and 25. Similarly, Horn does not teach “deleting at least one of said one or more target items from said universal data store if said at least one target item is not related to at least one of said one or more source items,” as required by independent claim 13.

Horn teaches a computer system that includes software for managing data objects “including dynamic and automatic organization, linking, finding, cross-referencing, viewing and retrieval of multiple objects regardless of nature or source.” Horn, Abstract. The system relies on an object-oriented database structure and a metadata database structure. These database structures store an instance of each object, while linking the object to collections and domains by metadata links.

A key aspect of Horn is its handling of collections. Horn defines a collection as “a grouping of objects based on a metadata specification describing properties that all objects in

the group have in common, or objects that were grouped together specifically by the user as having some shared meaning or logical grouping.” Horn, para. 22. Collection are defined using link metadata, which is metadata defined, updated, and accessed for the purpose of linking together and organizing reference objects logically in collections. Horn, paras. 49 and 26.

Importantly, when an object is added to or removed from a collection, the system “modifies the metadata links to indicate collection and container membership, and does not move or copy the original object at all.” Horn, para. 124. So, when an object is removed from a collection, the link data is modified to reflect the change, while the original object is left undisturbed.

To teach the claim elements recited above, the Office Action relies on paragraphs 165 – 167, 226 – 231 and 178 – 179 of Horn. These cited paragraphs, however, do not teach the recited claim elements.

The cited paragraphs do not address deleting an item *from a data store* in response to a change in a relationship or when the target item is not related to a source item. Rather, the cited matter merely teaches modifying the link metadata defining a collection. For example, paragraphs 226 – 231 describe changes in link metadata occurring in response to changes in an environment. *See* Horn, paras. 204, 213 and 226 (defining changes to a metadata property named pContainers in response to an environmental change). Paragraphs 178 – 179 address ensuring consistency of data between different systems but do not provide any circumstances for deleting items. Most significantly, paragraphs 165 – 167 make it explicitly clear that the system of Horn does not delete files response to changes in relationships or when the target item is not related to a source item. Paragraph 167 states, “items may be removed from a collection by choosing the Remove command, which removes the items from the

collection but **does not otherwise delete the item from the source (e.g. the file system) or any other collections.**” (emphasis added). The Horn reference is clear-- when an item is removed from a collection, it is not deleted from the data store.

Therefore, Horn does not teach “deleting at least one of said plurality of items from said universal data store in response to said change [in a relationship],” as required by independent claims 9 and 25. Similarly, Horn does not teach “deleting at least one of said one or more target items from said universal data store if said at least one target item is not related to at least one of said one or more source items,” as required by independent claim 13. The Horn reference does not meet the high standard required for anticipation. Anticipation under 35 U.S.C. § 102 requires identical disclosure of the claimed invention in the prior art. *See Gechter v. Davidson*, 116 F.3d 1454, 1457, 43 USPQ2d 1030, 1032 (Fed. Cir. 1997) (“Under 35 U.S.C. § 102, every limitation of a claim must identically appear in a single prior art reference for it to anticipate the claim.”). “Every element of the claimed invention must be literally present, arranged as in the claim.” *Richardson v. Suzuki Motor Co., Ltd.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). Accordingly, Applicants respectfully submit that Horn does not anticipate the claimed invention and that independent claims 9, 13 and 25 are in condition for allowance.

Furthermore, Applicants submit that dependent claims 10 - 12, which depend from claim 9, are in condition for allowance for at least the same reasons discussed above with respect to claim 9. Applicants submit that dependent claims 14- 17, which depend from claim 13, are in condition for allowance for at least the same reasons discussed above with respect to claim 13. Applicants submit that dependent claims 26 - 28, which depend from claim 25, are in condition for allowance for at least the same reasons discussed above with respect to claim 25.

Claims 1 – 8 and 18 - 24

Claims 1 - 8 and 18 - 24 also stand rejected under 35 U.S.C. § 102(e) as being anticipated by Horn. Applicants respectfully traverse this rejection because Horn does not teach “an item life-time management control which utilizes said associated life-time management semantics to delete one or more items from the universal data store in response to a change in at least a portion of said relationships,” as required by independent claim 18. Similarly, Horn does not teach a universal data store in which “at least a portion of said relationships control the life-time of at least a portion of said plurality of items,” as required by independent claim 1.

Horn has been previously discussed and discloses a software system that stores objects in a data store, while linking the objects to collections by metadata links. Nowhere does Horn address any relationship-based life-time management controls, such as the deleting of an item from the data store in response to a change in the item’s relationships. Indeed, at paragraph 167, Horn makes clear that, when such relationships change, Horn does *not* “otherwise delete the item from the source (e.g. the file system) or any other collections.”

Accordingly, Applicants submit that independent claims 1 and 18 are in condition for allowance. Applicants also submit that dependent claims 2 - 8, which depend from claim 1, are in condition for allowance for at least the same reasons discussed above with respect to claim 1. Applicants also submit that dependent claims 19 - 24, which depend from claim 18, are in condition for allowance for at least the same reasons discussed above with respect to claim 18.

### **Conclusion**

For the reasons stated above, claims 1 – 28 are in condition for allowance. If any issues remain which would prevent issuance of this application, the Examiner is urged to contact the undersigned prior to issuing a subsequent action. The Commissioner is hereby authorized to charge any additional amount required, or credit any overpayment, to Deposit Account No. 19-2112.

Respectfully submitted,

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